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RUEHSG/AMEMBASSY SANTIAGO 0000
RUEHBR/AMEMBASSY BRASILIA 0000
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NOTE: BY CIB:DO NOT/NOT PROCESS. GIVE TO EAO FOR GUIDANCE

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TAGS: [TSPA](#) [UNPUOS](#) [UNGA](#) [PARM](#)

SUBJECT: COPUOS: GUIDANCE FOR 51ST SESSION OF UN COMMITTEE
ON THE PEACEFUL USES OF OUTER SPACE, JUNE 11-20, 2008

REF: A) STATE 13420; B) STATE 32313; C) STATE 008231 NODIS
D) STATE 015164 NODIS; E) STATE 017336; F) STATE 011471;
G) UNVIE VIENNA 000113; H) UNVIE VIENNA 000111; I) UNVIE
VIENNA 000320 J) 07 STATE 157671; K) 07 STATE 125406

11. FOLLOWING IS GUIDANCE FOR THE 51ST SESSION OF THE UN
COMMITTEE ON THE PEACEFUL USES OF OUTER SPACE (COPUOS).
THIS GUIDANCE WILL FOCUS ON MATTERS THAT REQUIRE SPECIFIC
ACTION BY THE COMMITTEE. USDEL SHOULD DRAW ON DETAILED
GUIDANCE IN REFTEL A (SCIENTIFIC AND TECHNICAL
SUBCOMMITTEE) AND REFTEL B (LEGAL SUBCOMMITTEE) FOR OTHER
ISSUES RELATING TO THE WORK OF THE SUBCOMMITTEES.

12. GENERAL OVERVIEW: THE 2008 SESSIONS OF THE SCIENTIFIC
AND TECHNICAL AND LEGAL SUBCOMMITTEES WERE SUCCESSFUL FROM
THE U.S. PERSPECTIVE. THE U.S. HAS MADE PROGRESS IN
REACHING AGREEMENT ON VITAL UN REFORMS GIVING US THE
OPPORTUNITY TO PROVIDE SOLID LEADERSHIP ON A RANGE OF
ISSUES IN THE UN SYSTEM. U.S. ACTIVITY IN SPACE, BOTH
GOVERNMENTAL AND COMMERCIAL, IS GOVERNED BY INTERNATIONAL
AND DOMESTIC LAWS AND REGULATIONS, WHICH HAVE CONTRIBUTED
TO THE ORDERLY USE OF SPACE BY ALL NATIONS. AS INTEREST IN
AND USE OF SPACE INCREASES, WE MUST PARTICIPATE ACTIVELY IN
SHAPING THE SPACE LEGAL AND REGULATORY ENVIRONMENT. THIS
IS AS TRUE FOR COPUOS AND ITS SUBCOMMITTEES AS ANY OTHER UN
BODY. ADDITIONALLY, WE ARE WELL POSITIONED BECAUSE OF THE
RESULTS OF UNISPACE III THAT REFLECT, FOR THE MOST PART,
MORE ACHIEVABLE RECOMMENDATIONS THAN PREVIOUS UNISPACE
REPORTS AND SUPPORT A NUMBER OF USG PRIORITIES IN
INTERNATIONAL SPACE COOPERATION. COPUOS MEMBERS WILL
CONTINUE TO DRAW UPON THE UNISPACE III REPORT AND THE
RECENT REPORT TO THE UNGA ON PROGRESS ACHIEVED IN
IMPLEMENTING THE RECOMMENDATIONS OF UNISPACE III (A/59/174)
IN FORMULATING PROPOSALS FOR NEW AGENDA ITEMS AND OTHER
COPUOS-SPONSORED ACTIVITIES. USDEL SHOULD TAKE ADVANTAGE OF
OPPORTUNITIES TO SHOW LINKAGE BETWEEN USG SPACE ACTIVITIES
AND THEMES IN THESE REPORTS.

13. SUCCESSFUL ENGAGEMENT OF USA 193:

REFTELS C-F CONTAIN INFORMATION CONCERNING THE SUCCESSFUL ENGAGEMENT OF USA 193 AND THE STEPS TAKEN TO INFORM THE INTERNATIONAL COMMUNITY INCLUDING THE UN. PER REF F, THE UN OFFICE FOR OUTER SPACE AFFAIRS (UNOOSA) WAS ADVISED THAT USA 193 WAS NOT CARRYING A NUCLEAR POWER SOURCE ON BOARD. PER REFTELS D AND E, THE USDEL TO THE 45TH SESSION OF THE SCIENTIFIC AND TECHNICAL SUBCOMMITTEE ADVISED MEMBER STATES ON THE DECISION TO ENGAGE USA 193 AND THE SUCCESSFUL IMPACT. REFTELS G AND H REPORTED ON REACTIONS TO THOSE NOTIFICATIONS. PER REFTTEL B, USDEL TO THE LSC ADVISED THE SUBCOMMITTEE ON THE INTERCEPT AND REFTTEL I REPORTS ON REACTIONS. IN ITS GENERAL STATEMENT, USDEL WILL INFORM THE SUBCOMMITTEE OF THE SUCCESSFUL INTERCEPT OF USA 193 BASED ON GUIDANCE CONTAINED IN REFTELS D AND E. USDEL SHOULD REFER TO THOSE SAME CABLES FOR FURTHER GUIDANCE IN RESPONSE TO ANY QUESTIONS THAT SHOULD ARISE.

14. WEAPONS IN SPACE: SOME DELEGATIONS MAY RAISE THIS ISSUE AS A TACTICAL DEVICE TO EXERT PRESSURE ON U.S. NEGOTIATORS IN THE CONFERENCE ON DISARMAMENT (CD) OR OTHER DISARMAMENT BODIES. IF THIS ISSUE IS RAISED, USDEL SHOULD STRESS THAT THE FIRST COMMITTEE OF THE UNGA (DISARMAMENT AND INTERNATIONAL SECURITY) AND THE CD WOULD BE THE MORE APPROPRIATE MULTILATERAL FORA TO DISCUSS ARMS CONTROL MATTERS RELATED TO OUTER SPACE. [BEGIN NOTE: THE UNITED STATES SEES NO NEED FOR NEW OUTER SPACE ARMS CONTROL AGREEMENTS AND OPPOSES NEGOTIATION OF A TREATY ON OUTER SPACE ARMS CONTROL. THE U.S. WILL SUPPORT "SUBSTANTITVE DISCUSSIONS" ON SPACE TRANSPARENCY AND CONFIDENCE BUILDING MEASURES (TCBMS) AS PART OF A CONSENSUS WORKPLAN FOR THE CD THAT INCLUDES THE COMMENCEMENT OF NEGOTIATIONS ON A FISSILE MATERIAL CUTOFF TREATY. THE U.S. IS WORKING WITH THE EUROPEAN UNION TO DEVELOP PROPOSALS FOR NEW VOLUNTARY TCBMS THAT CAN BE ADOPTED BY ALL RESPONSIBLE SPACEFARING NATIONS (REFTEL I). LAST YEAR, THE U.S. ALSO ATTEMPTED TO WORK WITH RUSSIA TO JOINTLY SPONSOR A UNGA FIRST COMMITTEE THAT WOULD INITIATE A GROUP OF GOVERNMENT EXPERTS STUDY ON VOLUNTARY TCBMS THAT COULD HELP TO ENSURE PREDICTABILITY, ENHANCE STABILITY, AND REDUCE THE LIKELIHOOD OF MISUNDERSTANDING IN THE CONDUCT OF SPACE ACTIVITIES (REFTEL J). ALTHOUGH LAST YEAR'S ATTEMPT WAS UNSUCCESSFUL, THE U.S. IS WILLING TO WORK WITH RUSSIA AGAIN THIS YEAR ON A RESOLUTION THAT CAN WIN CONSENSUS SUPPORT. END NOTE.] THE U.S. OBJECTIVE IN UN COPUOS AND ITS SUBCOMMITTEES IS TO UNDERSCORE THE UNPRECEDENTED INTERNATIONAL SPACE COOPERATION NOW UNDERWAY AND REINFORCE RESISTANCE TO INCREASING CALLS IN THE CD AND ELSEWHERE FOR NEGOTIATIONS ON BINDING OUTER SPACE ARMS CONTROL AGREEMENTS. THAT OBJECTIVE MAKES IT PARTICULARLY IMPORTANT FOR THE USG TO PLAY A CONSTRUCTIVE ROLE IN COPUOS AND ITS SUBCOMMITTEES. USDEL MAY DRAW ON THE FOLLOWING ADDITIONAL POINTS AS NECESSARY:

-- THERE IS NO PROBLEM FOR ARMS CONTROL TO SOLVE. TODAY THERE IS UNPRECEDENTED COOPERATION IN CIVIL AND COMMERCIAL SPACE ACTIVITIES, INCLUDING AMONG FORMER COLD WAR ADVERSARIES. AN EXTENSIVE AND COMPREHENSIVE SYSTEM FOR LIMITING CERTAIN USES OF OUTER SPACE ALREADY EXISTS. THE EXISTING MULTILATERAL OUTER SPACE LEGAL REGIME ALREADY ADEQUATELY DEALS WITH THE ISSUE OF WEAPONS IN SPACE.

-- THE UNITED STATES IS COMMITTED TO THE PEACEFUL EXPLORATION AND USE OF SPACE BY ALL NATIONS FOR PEACEFUL PURPOSES. "PEACEFUL PURPOSES" INCLUDES APPROPRIATE DEFENSE ACTIVITIES IN PURSUIT OF NATIONAL SECURITY AND OTHER GOALS.

-- WE TAKE SERIOUSLY OUR COMMITMENT TO EXECUTE ALL U.S. ACTIVITIES IN THE EXPLORATION AND USE OF OUTER SPACE IN ACCORDANCE WITH INTERNATIONAL LAW, INCLUDING THE OUTER SPACE TREATY, WHICH INCORPORATES BY REFERENCE THE CHARTER OF THE UNITED NATIONS, IN THE INTEREST OF MAINTAINING INTERNATIONAL PEACE AND SECURITY AND PROMOTING INTERNATIONAL COOPERATION AND UNDERSTANDING.

15. SPACE APPLICATIONS PROGRAMME (SAP) AND IMPLEMENTATION OF UNISPACE III: THE COMMITTEE PRESENTED TO THE 59TH SESSION OF THE UN GENERAL ASSEMBLY IN OCT 2004 A REPORT ON PROGRESS MADE IN THE IMPLEMENTATION OF THE RECOMMENDATIONS OF

UNISPACE III (A/59/174). THE REPORT DREW ON THE RESULTS OF 12 TOPICAL ACTION TEAMS AND SUBMISSIONS FROM MEMBER STATES, ORGANIZATIONS WITH OBSERVER STATUS IN COPUOS, AND OTHER ENTITIES IN THE UN SYSTEM.

16. GENERALLY, THE WORK OF THE SAP AND FOLLOW-UP TO UNISPACE III SHOULD REFLECT THE THEMES BELOW. USDEL SHOULD EVALUATE SUGGESTED FUTURE AREAS OF WORK ON THE BASIS OF THESE THEMES.

-- BROADER PARTICIPATION IN ACTIVITIES RELATED TO THE MONITORING AND UNDERSTANDING OF THE EARTH AND ITS ENVIRONMENT;

-- BETTER USE OF EXISTING MECHANISMS FOR INTERNATIONAL COOPERATION, E.G. THE COMMITTEE ON EARTH OBSERVATION SATELLITES (CEOS), THE GROUP ON EARTH OBSERVATIONS (GEO), INTEGRATED GLOBAL OBSERVING STRATEGY (IGOS), THE INTER-AGENCY SPACE DEBRIS COORDINATION COMMITTEE (IADC) AND THE INTERNATIONAL CHARTER ON SPACE AND SPACE DISASTERS;

-- DISSEMINATION OF INFORMATION ON SPACE RESEARCH AREAS AND STRATEGIES FOR DEVELOPING COUNTRIES;

-- IMPROVED COORDINATION AND LESS DUPLICATION AMONG UN ORGANIZATIONS INVOLVED IN SPACE ACTIVITIES;

-- STRENGTHENED REGIONAL SPACE COOPERATION;

-- PROMOTION OF CIVIL AND COMMERCIAL APPLICATIONS AND USE OF OUTER SPACE; AND

-- GREATER INVOLVEMENT OF YOUNG SCIENTISTS AND ENGINEERS, AS WELL AS INDUSTRY, IN SAP ACTIVITIES.

17. USDEL SHOULD DRAW ON DETAILED GUIDANCE IN REF A FOR SPECIFIC ISSUES RELATING TO THE WORK OF THE STSC. IN GENERAL, THE LAST SESSION OF THE SUBCOMMITTEE WAS VERY PRODUCTIVE, YIELDING POSITIVE RESULTS THAT SUPPORTED USG PRIORITIES FOR THE UN SYSTEM'S INVOLVEMENT IN PROMOTING INTERNATIONAL SPACE COOPERATION. PROGRESS WAS MADE UNDER MULTI-YEAR WORKPLANS ON SPACE-BASED SYSTEMS FOR GLOBAL NATURAL DISASTER MANAGEMENT, NEAR-EARTH OBJECTS, THE INTERNATIONAL HELIOPHYSICAL YEAR 2007, THE INTERNATIONAL POLAR YEAR 2007-2008, AND THE USE OF NUCLEAR POWER SOURCES IN OUTER SPACE.

AT ITS 2006 SESSION, THE STSC RECOMMENDED THE ESTABLISHMENT OF THE UN PLATFORM FOR SPACE BASED INFORMATION FOR DISASTER MANAGEMENT AND EMERGENCY RESPONSE (SPIDER). SPIDER WAS ENDORSED BY COPUOS AND THE UNGA AND HAS BEEN ESTABLISHED AS A PROGRAM UNDER THE UN OFFICE OF OUTER SPACE AFFAIRS AND WILL REPORT TO AND RECEIVE GUIDANCE FROM COPUOS THROUGH UNOOSA. SPIDER IS BEING DESIGNED TO PROVIDE ACCESS FOR ALL COUNTRIES AND RELEVANT INTERNATIONAL ORGANIZATIONS TO SPACE-BASED INFORMATION AND SERVICES RELEVANT TO DISASTER MANAGEMENT, TO SERVE AS A BRIDGE CONNECTING THE DISASTER MANAGEMENT AND SPACE COMMUNITIES, AND TO FACILITATE CAPACITY-BUILDING, PARTICULARLY IN DEVELOPING COUNTRIES.

THE PROGRAM WILL WORK CLOSELY WITH INTERNATIONAL INITIATIVES SUCH AS THE GLOBAL EARTH OBSERVATION SYSTEM OF SYSTEMS, THE INTERNATIONAL CHARTER ON SPACE AND MAJOR DISASTERS, THE IAEA INCIDENT AND EMERGENCY CENTER, AND THE INTERNATIONAL STRATEGY FOR DISASTER REDUCTION IN ORDER TO AVOID DUPLICATION OF EFFORTS. THE PROGRAM WAS INTENDED TO BE SUPPORTED BY VOLUNTARY CONTRIBUTIONS AND THROUGH A REARRANGEMENT OF PRIORITIES OF THE UNOOSA. THE U.S. AGREED TO SPIDER WITH THE UNDERSTANDING THAT THE ADDITIONAL ACTIVITIES ASSOCIATED WITH SPIDER WOULD NOT, AS FAR AS POSSIBLE, HAVE A NEGATIVE IMPACT ON THE CURRENT PROGRAM ACTIVITIES OF UNOOSA NOR ON THE UN REGULAR BUDGET. (UNGA 61/110) HOWEVER AT THE 2007 UNGA, A RESOLUTION WAS PASSED CALLING FOR AN ADDITIONAL \$600,000 FROM THE UN REGULAR BUDGET FOR SPIDER STAFF. THE U.S. DISASSOCIATED FROM THE RESOLUTION AND MADE A STATEMENT FOR THE RECORD EXPRESSING OUR UNHAPPINESS WITH THE IMPACT ON THE BUDGET. THE LANGUAGE IN THE RESOLUTION WAS SUPPORTED BY AUSTRIA AND

GERMANY WITH COMPLICIT SUPPORT OF THE CHAIR, BRACHET. AUSTRIA, CHINA, GERMANY, AND SWITZERLAND ARE PROVIDING DIRECT SUPPORT TO SPIDER. WE HAVE STATED THAT USG AGENCIES RESPONSIBLE FOR DISASTER EARLY WARNING AND MITIGATION WILL NOT CONTRIBUTE RESOURCES TO SPIDER, BUT THAT THEIR PRODUCTS WILL BE MADE AVAILABLE AS THEY HAVE BEEN IN THE PAST IN RESPONSE TO DISASTER SITUATIONS.

AT THIS SESSION, THE USDEL SHOULD:

¶A. REITERATE THAT THE U.S. DOES NOT SUPPORT AN INCREASE IN THE UN REGULAR BUDGET FOR SPIDER AND EXPRESS OUR DISAPPOINTMENT THAT A NUMBER OF MEMBER STATES CHOSE TO DISREGARD THE AGREEMENTS MADE AT THE STSC LAST YEAR WITH REGARD TO SPIDERS FUNDING.

¶B. REITERATE THAT USG AGENCIES RESPONSIBLE FOR DISASTER EARLY WARNING AND MITIGATION WILL NOT CONTRIBUTE RESOURCES TO SPIDER, BUT THAT THEIR PRODUCTS WILL BE MADE AVAILABLE AS THEY HAVE BEEN IN THE PAST IN RESPONSE TO DISASTER SITUATIONS.

¶8. REPORT OF THE LEGAL SUBCOMMITTEE: REFTTEL B CONTAINS ADDITIONAL GUIDANCE. THE 2008 SESSION OF THE LSC PRODUCED SOME USEFUL RESULTS AND WAS NOTABLE FOR A NUMBER OF POSITIVE DEVELOPMENTS THAT BODE WELL FOR USG INTERESTS IN THE FUTURE. AMONG THESE WERE 1) THE ABSENCE OF ANY SUSTAINED EFFORT TO INTRODUCE MATTERS CONCERNING SPACE ARMS CONTROL; 2) THE PARTICIPATION OF GOVERNMENTAL AND NON-GOVERNMENTAL LEGAL EXPERTS; AND 3) THE SUBSTANTIVE DISCUSSION OF STATE AND INTERNATIONAL PRACTICE UNDER THE REGISTRATION CONVENTION. RUSSIA FAILED TO GENERATE SUBSTANTIAL MOMENTUM FOR ITS PROPOSAL TO DEVELOP A COMPREHENSIVE CONVENTION ON INTERNATIONAL SPACE LAW. THE SUBCOMMITTEE ADOPTED THE US PROPOSAL FROM 2007 TO CONSIDER AS A SINGLE YEAR ITEM NATIONAL MECHANISMS RELATING TO SPACE DEBRIS MITIGATION MEASURES. SEVERAL UNFAVORABLE PROPOSALS FOR NEW AGENDA ITEMS WERE NOT ADOPTED AT THE 2008 SESSION OF THE LSC. IN THE EVENT OTHER DELEGATIONS RAISE THESE PROPOSALS IN ANY SUBSTANTIAL WAY, USDEL SHOULD REITERATE POINTS IN REFTTEL B.

¶9. SPACE AND SOCIETY: MEMBERS WILL EXCHANGE INFORMATION ON THE LATEST NATIONAL AND INTERNATIONAL EFFORTS TO INCREASE AWARENESS OF THE BENEFITS OF SPACE ACTIVITIES. LEADING EXPERTS IN GOVERNMENT, ACADEMIA, THE NEWS MEDIA AND THE PRIVATE SECTOR COULD BE INVITED TO INFORM THE COMMITTEE ABOUT WHAT THEY ARE DOING IN THAT AREA. AT THE LAST SESSION OF COPUOS, THE COMMITTEE AGREED TO CONTINUE TO CONSIDER UNDER THIS ITEM THE SPECIAL THEME OF SPACE AND EDUCATION. THIS YEAR, PRESENTATIONS WILL BE MADE ON EFFORTS TO BRING SPACE INTO EDUCATION AND TO DEVELOP HUMAN RESOURCES IN SPACE SCIENCE AND EDUCATION. THE COMMITTEE WILL CONSIDER WAYS FOR INCORPORATING SPACE INTO EDUCATION AND USING SPACE BASED TOOLS FOR MEETING THE MILLENNIUM DEVELOPMENT GOAL ON ACCESS TO EDUCATION. THE U.S. DELEGATION WILL HAVE A STATEMENT ON THIS AGENDA ITEM.

¶10. SPACE AND WATER: ENTITIES OF THE UN SYSTEM, MEMBER STATES, AND OBSERVER ORGANIZATIONS WILL EXCHANGE INFORMATION ON THEIR EXPERIENCES IN THE USE OF SPACE-RELATED TECHNOLOGY FOR WATER RESOURCE MANAGEMENT. THE U.S. DELEGATION WILL HAVE A STATEMENT ON THIS AGENDA ITEM.

¶11. SPACE BASED GEOSPATIAL DATA FOR SUSTAINABLE DEVELOPMENT: FOR SEVERAL YEARS, BRAZIL HAS SOUGHT TO REVISIT THE 1986 PRINCIPLES ON REMOTE SENSING FROM SPACE IN THE LEGAL SUBCOMMITTEE. DURING THE 2006 SESSION OF THE LSC, BRAZIL SHIFTED GEARS AND PROPOSED THAT THE SUBCOMMITTEE CONSIDER THE QUESTION OF COOPERATION IN PROMOTING THE USE OF GEOSPATIAL DATA FOR SUSTAINABLE DEVELOPMENT. USDEL, FRANCE, JAPAN AND GERMANY CONVINCED BRAZIL THAT THIS TOPIC WOULD BE BETTER SUITED FOR COPUOS. BRAZIL CIRCULATED A WORKING PAPER DURING THE 49TH SESSION OF COPUOS ON THE BASIS OF THE DISCUSSIONS AT THE LSC. THE COMMITTEE AGREED TO A MULTIYEAR WORK PLAN FOR A NEW ITEM ENTITLED "INTERNATIONAL COOPERATION IN PROMOTING THE USE OF SPACE-DERIVED GEOSPATIAL DATA FOR SUSTAINABLE DEVELOPMENT.

BEGINNING THIS YEAR, THE COMMITTEE WILL IDENTIFY EXISTING INTERNATIONAL FORA WHERE COUNTRIES UNDERTAKE DISCUSSIONS REGARDING THE IMPLEMENTATION OF SPACE DERIVED GEOSPATIAL DATA IN ORDER TO AVOID DUPLICATION OF EFFORTS. AT THIS SESSION THE COMMITTEE WILL HEAR PRESENTATIONS FROM INVITED EXPERTS ON EXPERIENCES IN THE ESTABLISHMENT OF APPROPRIATE INFRASTRUCTURES FOR SPACE-DERIVED GEOSPATIAL DATA COLLECTION, PROCESSING AND APPLICATION, INCLUDING TRAINING, TECHNICAL INFRASTRUCTURE AND INSTITUTIONAL ARRANGEMENTS.

¶12. FUTURE WORK OF COPUOS: GERARD BRACHET, FORMER CHAIR OF COPUOS, PRESENTED A PAPER AT THE 50TH SESSION OUTLINING HIS VIEWS ON THE FUTURE WORK OF COPUOS AND ITS SUBCOMMITTEES. THE PAPER IS AN ASSESSMENT OF WHAT THE COMMITTEE COULD POTENTIALLY ACCOMPLISH IN THE FUTURE AND RECOGNIZES THAT THIS WORK MUST BE CONDUCTED IN A WAY THAT DOES NOT NEGATIVELY IMPACT NATIONAL SPACE PROGRAMS. THE PAPER ENJOYED GENERAL SUPPORT ALTHOUGH DETAILS FOR IMPLEMENTING HIS SPECIFIC PROPOSALS WILL HAVE TO BE WORKED OUT. SOME TOPICS, SUCH AS PROMOTING THE USE OF GLOBAL NAVIGATION SATELLITE SYSTEMS, THE USE OF SPACE SYSTEMS FOR MONITORING OF THE EARTH AND CLIMATE CHANGE RESEARCH, SATELLITE TECHNOLOGY FOR SUSTAINABLE DEVELOPMENT, AND NEAR EARTH OBJECTS, ARE STRAIGHTFORWARD OR ARE BEING DEALT WITH IN COPUOS IN ONE FORM OR ANOTHER. OTHER TOPICS WILL REQUIRE FURTHER COORDINATION WITH KEY DELEGATIONS. PROPERLY HANDLED, FUTURE CONSIDERATION OF ALL OF THE TOPICS WILL AFFORD THE USG THE OPPORTUNITY TO BUILD AN UNDERSTANDING OF, AND SUPPORT FOR, U.S. SPACE POLICIES AND PROCEDURES AND TO ENCOURAGE THE USE OF U.S. SPACE CAPABILITIES AND SYSTEMS.

¶13. USDEL SHOULD CONTACT KEY DELEGATIONS TO ASCERTAIN THEIR REACTIONS TO THE PAPER AND THE LIKELY DISPOSITION OF THE SUGGESTED TOPICS. DEL SHOULD NOTE THAT WE ARE GENERALLY SUPPORTIVE OF BRACHETS EFFORTS AND SHARE THE FOLLOWING COMMENTS RELATED TO THE TOPICS IDENTIFIED IN THE PAPER:

¶A. CONTRIBUTION OF SPACE SYSTEMS TO A BETTER UNDERSTANDING AND TO GLOBAL MONITORING OF PLANET EARTH

WE SUPPORT CONTINUED ACTIVITY IN UN COPUOS IN THIS REGARD. AGENCY PROGRAMS TO ADVANCE EARTH SCIENCES FROM SPACE OBSERVATIONS CAN CONTINUE TO PLAY AN IMPORTANT ROLE IN SUPPORT OF THIS ACTIVITY AS THEY HAVE DONE IN THE PAST. WE AGREE WITH THE RECOMMENDATION TO INVITE THE DIRECTOR OF THE GEO SECRETARIAT TO ADVISE THE UN COPUOS SCIENTIFIC AND TECHNICAL SUBCOMMITTEE (STSC) AT ITS ANNUAL SESSION ON GEO ACTIVITIES WHICH BEAR ALSO ON THE WORK OF THE STSC.

¶B. COORDINATION OF GLOBAL NAVIGATION SATELLITE SYSTEMS

WE SUPPORT CONTINUED ACTIVITY IN UN COPUOS RELATED TO GNSS, AND SPECIFICALLY, SUPPORTS THE RECOMMENDATION OF ANNUAL REPORTS TO THE STSC BY THE CHAIR OF THE NEWLY-FORMED INTERNATIONAL COMMITTEE ON GNSS, WHICH WAS ESTABLISHED AS A RESULT OF A UNISPACE III RECOMMENDATION.

¶C. CONTRIBUTION OF SATELLITE TECHNOLOGY TO SUSTAINABLE DEVELOPMENT

WE SUPPORT CLOSER COORDINATION BETWEEN UN COPUOS AND THE COMMISSION ON SUSTAINABLE DEVELOPMENT, AND IN SUPPORT OF THAT ENDEAVOR, THE ESTABLISHMENT WITHIN UN COPUOS OF A DATABASE OF SUCCESSFUL SPACE APPLICATIONS IT COULD RELY ON TO ILLUSTRATE THE CONTRIBUTIONS OF SPACE TECHNOLOGY TO SUSTAINABLE DEVELOPMENT.

¶D. LONG-TERM SUSTAINABILITY OF SPACE ACTIVITIES

THE U.S. PARTICIPATED IN INFORMAL CONSULTATIONS ON THIS TOPIC HOSTED BY THE FRENCH MFA ON FEBRUARY 7/8, 2008, IN PARIS. THE CONSULTATIONS INCLUDED A CROSS-SECTION OF COPUOS MEMBER STATES, INTERNATIONAL ORGANIZATIONS, AND COMMERCIAL SPACE OPERATORS. THOSE PARTICIPATING IN THE FEBRUARY INFORMAL CONSULTATIONS AGREED TO CONTINUE THE CONSULTATIONS AND EXCHANGE OF RELEVANT VIEWS ON THIS SUBJECT WITH THE OBJECTIVE OF DRAFTING AN OUTLINE DOCUMENT

THAT COULD GUIDE FURTHER WORK IN THIS AREA BY THE STSC, NO EARLIER THAN 2009. HOWEVER, FRANCE, FOLLOWING UP ON BRACHETS RECOMMENDATION, AND APPARENTLY INFLUENCED BY PRESIDENT SARKOZYS FEBRUARY 11, 2008, SPACE POLICY SPEECH AT KOUROU, (JUST PRIOR TO THE 2008 STSC SESSION), ANNOUNCED ITS INTENTION TO PROPOSE "THE LONG TERM SUSTAINABILITY OF SPACE ACTIVITIES" AS A NEW AGENDA TOPIC FOR THE FULL COMMITTEE AT ITS 51ST SESSION IN JUNE 2008 AND INTRODUCED A PAPER AT THE STSC FOR CONSIDERATION AT THE COMMITTEE. THE PROPOSAL WILL INCLUDE A WORK PLAN FOR THE PERIOD 2009-2011, WHICH WOULD CULMINATE IN THE FINALIZATION OF A DOCUMENT ON "BEST PRACTICES FOR SPACE OPERATIONS."

IN THE COURSE OF CONSIDERING THE FRENCH PROPOSAL, THE USDEL SHOULD MAKE THE FOLLOWING POINTS IN ORDER TO ENSURE THAT THE FUTURE WORK OF THE INFORMAL CONSULTATIONS AND ANY PROPOSAL TO THE STSC IS PROPERLY FRAMED:

(1) THE PAPER INTRODUCED BY FRANCE AT THE STSC IS PREMATURE AND IS NOT FULLY ALIGNED WITH THE RESULTS OF THE INFORMAL CONSULTATIONS. AT THIS TIME, WE ARE NOT PREPARED TO AGREE TO THE PAPER AS DRAFTED. OUR STRONG PREFERENCE IS TO USE THE INFORMAL CONSULTATIONS LED BY FRANCE TO DEVELOP A MULTIYEAR WORK PLAN THAT COULD BE INTRODUCED NO EARLIER THAN 2009 FOR A DECISION BY COPUOS. IT IS PREMATURE TO AGREE TO A MULTIYEAR WORK PLAN AT THE PRESENT SESSION WITHOUT MORE IN DEPTH DISCUSSION ON THE TIMING AND SUBSTANCE OF THE PROPOSAL.

(2). FUTURE WORK WILL ADDRESS BEST PRACTICES ASSOCIATED WITH SPACE OPERATIONS, PROCEDURES AND POLICIES FROM PRE-LAUNCH THROUGH END OF LIFE ACTIVITIES, (NOTE: THESE EFFORTS SHOULD BEAR IN MIND, BUT NOT DUPLICATE OR REOPEN, THE ACTIVITIES AND RECOMMENDATIONS BEING UNDERTAKEN IN THE STSC WORKING GROUP ON NUCLEAR POWER SOURCES IN SPACE AND THE WORK OF THE STSC AND IADC ON ORBITAL DEBRIS MITIGATION. END NOTE);

(3). THE FUTURE WORK SHOULD INVOLVE INPUT FROM STATE MEMBERS, SPACE FARING NATION REPRESENTATIVES, COMMERCIAL SPACE OPERATORS AND PROVIDERS ON THEIR BEST PRACTICES ASSOCIATED WITH SAFE SPACE OPERATIONS, PROCEDURES, AND POLICIES;

(4). FUTURE WORK COULD INCLUDE THE PREPARATION OF A CONSOLIDATED LIST OF BEST PRACTICES ASSOCIATED WITH SAFE SPACE OPERATIONS;

(5). FOR FUTURE REFERENCE: IN THE EVENT THAT IT IS AGREED AT A FUTURE COPUOS THAT THE STSC WOULD DEVELOP VOLUNTARY SAFE SPACE OPERATION GUIDELINES, THOSE GUIDELINES WOULD:

(a). BE NO MORE STRINGENT THAN THE ASSOCIATED EXISTING USG POLICIES, PRINCIPLES, PROCEDURES, REGULATIONS, STANDARD PRACTICES, AND GUIDELINES;

(b). REMAIN VOLUNTARY FOR EVERY STATE RESPONSIBLE FOR SPACE ACTIVITIES AND NOT BE LEGALLY BINDING UNDER INTERNATIONAL LAW;

(c). NOT PROVIDE SPECIFIC OR ADDITIONAL PENALTIES FOR FAILING TO FOLLOW THE GUIDELINES, BEYOND THOSE ALREADY PROVIDED UNDER INTERNATIONAL LAW; AND

(d). ENSURE THAT EACH PROPOSED GUIDELINE MAINTAINS OR IMPROVES THE SAFETY OF SPACEFLIGHT OPERATIONS AND PROTECTS THE SPACE ENVIRONMENT WITHOUT IMPOSING UNACCEPTABLE OR UNREASONABLE COSTS; AND

(e). BE CONSISTENT WITH THE ACTIVITIES AND RECOMMENDATIONS OF THE STSC WORKING GROUP ON NUCLEAR POWER SOURCES IN SPACE, THE WORK AND RECOMMENDATIONS OF THE IADC AND THE STSC CONCERNING ORBITAL DEBRIS MITIGATION AND THE UNCOPUOS GUIDELINES ON ORBITAL DEBRIS MITIGATION.

(6). ANY WORK OF THE STSC WOULD NOT ADDRESS THE CURRENT OUTER SPACE LEGAL REGIME OR ANY LEGAL QUESTIONS/ISSUES. THE USG POSITION REMAINS THAT:

(a). THE 1967 OUTER SPACE TREATY, 1968 RESCUE AND RETURN AGREEMENT, THE 1972 LIABILITY CONVENTION, AND THE 1975 REGISTRATION CONVENTION SHOULD BE ADOPTED AND FULLY ADHERED TO BY ALL NATIONS;
(b). THE PRINCIPLES ESTABLISHED IN THESE AGREEMENTS HAVE STOOD THE TEST OF TIME BECAUSE THEY CREATED THE FUNDAMENTAL GUIDELINES REQUIRED FOR THE FREE ACCESS TO, AND USE OF, OUTER SPACE FOR PEACEFUL PURPOSES; AND,
(c). THESE AGREEMENTS FORM THE LEGAL BASIS FOR ALL OUTER SPACE OPERATIONS.

(7). FOR FUTURE CONSIDERATION: THE INTERNATIONAL CIVIL AVIATION ORGANIZATION (ICAO), INTERNATIONAL TELECOMMUNICATIONS UNION (ITU), EUROPEAN SPACE AGENCY (ESA), AND EUMETSAT SHOULD BE INVITED TO SEND EXPERTS WITH RELEVANT EXPERTISE IN SPACE OPERATIONS TO PARTICIPATE AS OBSERVERS IN THE INFORMAL CONSULTATIONS AND FUTURE WORK OF THE STSC.

(a). AN INVITATION TO THE ITU SHOULD EMPHASIZE THEIR POSSIBLE CONTRIBUTIONS IN PROVIDING INFORMATION CONCERNING THE ITUS PROCESSES FOR COORDINATING USE BY GEOSTATIONARY SATELLITES OF RADIO FREQUENCIES AND ASSOCIATED ORBITAL LOCATIONS.

(b). INVITATIONS TO ESA AND EUMETSAT SHOULD NOTE THEIR ROLE AS A LEADING INTERNATIONAL INTERGOVERNMENTAL ORGANIZATION WHICH HAVE DECLARED ACCEPTANCE OF RIGHTS AND OBLIGATIONS UNDER THE LIABILITY AGREEMENT AND THE REGISTRATION CONVENTION. THEY ARE BOTH PERMANENT OBSERVERS IN COPUOS.

THE USG WILL CONTINUE TO OPPOSE:

(8). USE OF TERMS SUCH AS "RULES OF THE ROAD" AND "CODES OF CONDUCT" AND "SPACE TRAFFIC MANAGEMENT" DUE TO THEIR LEGAL CONNOTATIONS AND ATTEMPTS BY STATES TO USE THESE TERMS TO CALL FOR BINDING LEGAL INSTRUMENTS. THE USG WILL CONTINUE TO PROMOTE INTERNATIONAL FOCUS ON THE CONCEPT OF SAFE SPACE OPERATIONS;

(9). ATTEMPTS TO LIMIT USG FREEDOM OF ACTIONS AND OPERATIONS IN OUTER SPACE;

(10). THE CREATION OR ADDITION OF TREATIES OR OTHER LEGALLY BINDING MEASURES CONCERNING SAFE SPACE OPERATIONS BY THE UNGA; AND

(11). THE CREATION OF UNGA PRINCIPLES ON SAFE SPACE OPERATIONS.

THE USG WILL:

(12). CONTINUE TO VOLUNTARILY OFFER ITS UNCLASSIFIED SPACE OBJECT TRACKING DATA, FREE OF CHARGE, TO NATIONS AS WELL AS COMMERCIAL OPERATORS AND CIVIL SOCIETY;

(13). REMAIN OPEN ABOUT THE BASIC PRINCIPLES OF ITS NATIONAL SPACE POLICIES:

(a). REAFFIRM ITS COMMITMENT TO THE PRINCIPLE OF FREE ACCESS TO AND USE OF SPACE BY ALL/ALL NATIONS FOR PEACEFUL PURPOSES;

(b). CONTINUE TO SEEK INTERNATIONAL COOPERATION WITH OTHER NATIONS IN THE PEACEFUL USES OF OUTER SPACE;

(c). REMAIN READY TO WORK WITH OTHER NATIONS TO EXTEND THE BENEFITS OF SPACE, TO ENHANCE SPACE EXPLORATION, AND TO USE SPACE TO PROTECT AND PROMOTE FREEDOM AROUND THE WORLD; AND

(d). REQUEST THAT OTHER NATIONS DEMONSTRATE SIMILAR TRANSPARENCY REGARDING THEIR OWN SPACE POLICIES, PROCEDURES, ACTIVITIES AND INTENTIONS IN OUTER SPACE.

1E. INTERNATIONAL COOPERATION IN SPACE EXPLORATION

WE AGREE THAT UN COPUOS CAN BE AN ADVOCATE FOR INTERNATIONAL COOPERATION IN THE EXPLORATION OF SPACE, AND THAT IT COULD EXAMINE HOW TO DEMONSTRATE THE VALUE OF SPACE EXPLORATION TO THE GENERAL PUBLIC. WE SUPPORT INVITING IAF TO CONSIDER THE ISSUE OF THE PARTICIPATION BY DEVELOPING COUNTRIES IN SPACE EXPLORATION AND INVITING MEMBER STATES TO REPORT ON SIMILAR EFFORTS THEY HAVE UNDERTAKEN.

THE EXISTING U.N. DECLARATION ON INTERNATIONAL COOPERATION IN THE EXPLORATION AND USE OF OUTER SPACE FOR THE BENEFIT AND IN THE INTERESTS OF ALL STATES, TAKING INTO PARTICULAR ACCOUNT THE NEEDS OF DEVELOPING COUNTRIES, ADOPTED ON 13 DECEMBER 1996 (RESOLUTION 51/122), PROVIDES SUFFICIENT DIRECTION TO STATES TO DETERMINE ALL ASPECTS OF THEIR PARTICIPATION IN INTERNATIONAL COOPERATION IN THE EXPLORATION AND USE OF OUTER SPACE. THE RESOLUTION ALSO PROVIDES ADEQUATE GUIDELINES FOR ADDRESSING THE NEEDS OF DEVELOPING COUNTRIES, INCLUDING THEIR NEED FOR TECHNICAL ASSISTANCE, AS WELL AS THE POTENTIAL OF INTERNATIONAL COOPERATION AS A MEANS OF REACHING DEVELOPMENT GOALS. THUS, WE BELIEVE THAT ANY FURTHER UN COPUOS ACTION PROMOTING INTERNATIONAL COOPERATION IN SPACE EXPLORATION SHOULD BE IN ACCORDANCE WITH RESOLUTION 51/122.

1F. PROTECTION/CONSERVATION OF DESIGNATED AREAS OF THE MOON AND OTHER CELESTIAL BODIES

THERE IS NO OBJECTION TO THE RECOMMENDATION IN THE REFERENCE MEMORANDUM TO ENCOURAGE OBSERVER ORGANIZATIONS TO PRODUCE INDEPENDENT STUDIES IN THIS AREA.

1G. ISSUES RELATED TO THE DEVELOPMENT OF "PASSENGER SPACE TRANSPORT"

THIS TOPIC IS NOT MATURE ENOUGH TO BE CONSIDERED BY UN COPUOS IN THE CONTEXT OF LEGAL OR TECHNICAL STANDARDS. IT COULD BE ADDRESSED FROM THE STANDPOINT OF PRESENTATIONS ON THE STATE OF THE ART OR MEMBER STATE REPORTING ON NATIONAL POLICIES OR REGULATORY FRAMEWORKS.

1H. NEAR EARTH OBJECTS

THIS TOPIC HAS ALREADY BEEN TAKEN UP WITHIN THE STSC, AND A WORKING GROUP HAS BEEN CHARGED WITH CARRYING OUT A THREE-YEAR WORK PLAN. THAT ACTIVITY WAS SUPPORTED BY THE U.S., BUT ANYTHING BEYOND THE THREE-YEAR HORIZON SHOULD AWAIT THE OUTCOME OF THE CURRENT WORK.
RICE